

Attorney's Docket No.: C01104/70015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kevin J. Dowling, et al.
Serial No.: 09/805,368
Confirm. No.: 1552
Filed: March 13, 2001
For: LIGHT-EMITTING DIODE BASED PRODUCTS
Examiner: David Vu
Art Unit: 2821

11-19-03

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 7th day of November, 2003.


Jeanne W. Chub

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

RECEIVED
NOV 17 2003
TC 2800 MAIL ROOM

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing of a first Office Action in the above-identified application.

No fee is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicants also wish to bring to the Examiner's attention the following information:

The seven German references listed on the attached form PTO-1449 (modified) were cited in at least one of five oppositions filed against a European counterpart to a parent application of the present application. The European counterpart is EP Patent No. 1,016,062, EP Serial No. 98944539.0, corresponding to U.S. Patent No. 6,016,038 (U.S. Serial No. 08/920,146). The present application is a continuation-in-part (CIP) of U.S. Serial No. 09/669,121, which is a continuation of U.S. Serial No. 09/425,770 (now U.S. Patent No. 6,150,774), which in turn is a continuation of U.S. Serial No. 08/920,146.

These seven German references originally were cited in an Information Disclosure Statement filed on October 10, 2003 in the present application. However, at that time, only English language translations of the Abstracts for some of these references were available. Applicants have since commissioned a full English translation for these seven references, and enclose the English translations herewith for the Examiner's consideration.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

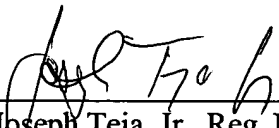
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

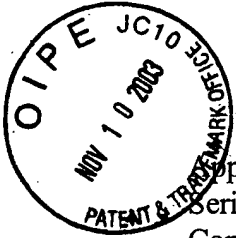
Respectfully submitted,

Kevin J. Dowling et al.

By: 

Joseph Teja, Jr., Reg. No. 45,157
LOWRIE, LANDO & ANASTASI, LLP
Riverfront Office Park
One Main Street
Cambridge, Massachusetts 02142
Tel. (617) 395-7000

Docket No. C01104/70015
Date: November 7, 2003
XX



2821
HI
ATTORNEY'S DOCKET NO: C01104/70015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kevin J. Dowling, et al.
Serial No: 09/805,368
Confirm No.: 1552
Filed: March 13, 2001
For: LIGHT-EMITTING DIODE BASED PRODUCTS
Examiner: David Hung Vu
Art Unit: 2821

CERTIFICATE OF MAILING UNDER 37 CFR §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 7th day of November, 2003.

Jeanne W. Chub

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- ☒ Information Disclosure Statement, Form PTO-1449 and Cited References
- ☒ Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 395-7000.

No check is enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 50/2762. A duplicate of this sheet is enclosed.

Respectfully submitted,
Kevin J. Dowling, et al., Applicants

By:
Joseph Teja, Jr., Reg. No. 45,157
LOWRIE, LANDO & ANASTASI, LLP
Riverfront Office Park
One Main Street
Cambridge, MA 02142
(617) 395-7000

Date: November 7, 2003

RECEIVED
NOV 17 2003
TC 2800 MAIL ROOM

FORM PTO-1449/A and B (Modified)		APPLICATION NO.: 09/805,368	ATTY. DOCKET NO.: G01104/70015
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		FILING DATE: March 13, 2001	CONFIRMATION NO.: 1352
		APPLICANT: Kevin J. Dowling et al.	
		GROUP ART UNIT: 2821	EXAMINER: David Vu
Sheet	1	of	

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
		DE	9414689		Schlumer, Heinz-Dieter	02/02/1995	Yes
		DE	29620583	U1	Kundisch Microtech GmbH	03/27/1997	Yes
		DE	3917101		Rienecker Wolfgang Prof Dr Ing	11/29/1990	Yes
		DE	19602891	A1	Kammerer GmbH M	08/07/1997	Yes
		DE	3916875		Ullmann Ulo Werk	12/06/1990	Yes
		DE	19525897		Kostal Leopold GmbH & Co	10/02/1996	Yes
		DE	03837313		Cheng Eric	05/24/1989	Yes

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)

EXAMINER	DATE CONSIDERED
----------	-----------------

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 09/669,121, filed September 25, 2000, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - Must provide a copy of any patent, publication, other information listed, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]